

United States Court of Appeals
For the Eighth Circuit

No. 14-2795

United States of America

Plaintiff - Appellee

v.

Gary Penn

Defendant - Appellant

Appeal from United States District Court
for the Western District of Missouri - Springfield

Submitted: December 1, 2014

Filed: December 12, 2014

[Unpublished]

Before SMITH, BOWMAN, and COLLOTON, Circuit Judges.

PER CURIAM.

Gary Penn appeals after the District Court¹ revoked his supervised release and sentenced him within the Chapter 7 advisory United States Sentencing Guidelines

¹The Honorable Beth Phillips, United States District Judge for the Western District of Missouri.

range to 12 months in prison. Penn's counsel has moved to withdraw and has filed a brief arguing that Penn's sentence is substantively unreasonable.

Upon careful review, we conclude that the District Court did not impose an unreasonable revocation sentence. See United States v. Growden, 663 F.3d 982, 984 (8th Cir. 2011) (per curiam) (describing appellate review of revocation sentences); United States v. Petreikis, 551 F.3d 822, 824 (8th Cir. 2009) (applying a presumption of substantive reasonableness to a revocation sentence within the Guidelines range).

Accordingly, we affirm the judgment of the District Court. We also grant counsel's motion for leave to withdraw.
